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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 DELBERT SWOPE,

No. CIV S-03-2531-DFL-CMK

12 Plaintiff,

13 vs.

ORDER TO SHOW CAUSE

14 COMMISSIONER OF SOCIAL
15 SECURITY,

16 Defendant.
17 _____/

18 This is an appeal from a decision of the Commissioner of Social Security. On
19 December 12, 2003, the court issued a scheduling order which required plaintiff to file and serve
20 a motion for judgment on the pleadings and transcripts within 60 days of the date of service of the
21 defendant's answer. The record reflects that defendant's answer was served and filed on July 14,
22 2004. To date, plaintiff has failed to prosecute this case pursuant to the court's December 12,
23 2003, scheduling order.


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1 Accordingly, IT IS HEREBY ORDERED THAT plaintiff shall show cause in
2 writing, within 20 days from the date of service of this order, why this case should not be
3 dismissed for lack of prosecution and failure to comply with court order.

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5 DATED: September 8, 2005.

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8 **CRAIG M. KELLISON**
9 UNITED STATES MAGISTRATE JUDGE
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